REMARKS

Drawings:

The Patent Office has required that new drawings be submitted. Applicants note that new formal drawings that address the Draftsperson's comments dated May 29, 2002 will be submitted to the Drawing Review Branch under separate cover with a Petition to Accept Color Drawings pursuant to 37 CFR 1.84(a)(2), during the time limit set for responding to this Office Action. Since the formal drawings include color drawings, Applicants respectfully request that the specification be amended as indicated to fulfill the requirements of 37 CFR § 1.84(a)(2)(iv).

Restriction Requirement:

The Examiner has restricted the claims into thirteen different groups as follows: Group I (Claims 1-27), directed to a method of structure-based drug design using the three dimensional structure of CR2; Group II (Claim 28), directed to a method to identify a compound that inhibits the CR2-dependent infection of a host cell by EBV; Group III (Claims 29-30), directed to a method to identify a compound that inhibits the binding of CD23 to CR2; Group IV (Claims 31-33), directed to a method to identify a compound that inhibits the binding of C3d to CR2; Group V[sic] (Claim 34), directed to a method to inhibit CR2-dependent HIV infection of a cell; Group VI (Claim 35), directed to a method of preparing a vaccine; Group VII (Claim 36), directed to a drug delivery system; Group VIII (Claims 37-38), directed to an antibody against CR2; Group IX (Claim 39), directed to a crystalline CR2; Group X (Claim 40), directed to a therapeutic composition that stimulates CR2; Group XI (Claims 41-44), directed to a therapeutic composition that inhibits CR2; Group XII (Claim 45), directed to a method of preparing modified CR2 proteins; and Group XIII (Claims 46-47), directed to an isolated C3d mutant protein.

Applicants provisionally elect, with traverse, to prosecute the claims of Group I (Claims 1-27). The reasons for traversal are set forth below.

The Examiner has also required the following species elections. First, for Group I, Applicants elect, without traverse, Specie I-A, directed to candidate compounds that inhibit the binding of CR2 to its ligand. Second, Applicants elect specie I-5 (Claim 16), without traverse. Finally, Applicants elect specie I-a (Claim 24, directed drug design), without traverse. Applicants note that the species requirement is primarily, if not solely, intended to facilitate a search by the

Examiner. Applicants note that the Examiner is obligated to examine the generic claims and submits that the scope of the claims of the present invention is not limited to the elected species.

With regard to the Restriction Requirement, Applicants traverse the Examiner's restriction of Groups I, II, III, IV and VI. Initially, Applicants note that the Patent Office may require restriction if two or more "independent and distinct" inventions are claimed in one application. However, "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." M.P.E.P. Section 803. Applicants submit that a thorough search for Group I should also include the subject matter of Groups II, III, IV and VI. In the present case, the subject matter of these Groups cited by the Examiner is sufficiently small and is so closely related as to be capable of examination together. More specifically, the Examiner asserts that the methods have different functions, different modes of operation, and can produce different results. However, Applicants submit that the methods of Groups II, III, IV and VI each require the performance of the same process steps as recited in Group I, in that the recited structure is provided and then candidate compounds for binding to CR2 are identified. Therefore, for the first two steps of each method, the function, mode of operation and result are the same between groups. Groups II, III, IV and VI have additional steps once the compound is identified which are directed to preferred embodiments of the general method, but Group I is essentially generic to the other groups and therefore should at least be considered to be a linking set of claims. The restriction requirements in this case only serve to increase the prosecution expense to the Applicants and to the Patent and Trademark Office. Applicants respectfully request that the Examiner withdraw the restriction requirements.

Respectfully submitted,

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